

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, June 12, 2008 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

M I N U T E S

PRESENT: Supervisors Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 5

EXCUSED: Supervisor De Bruin and Supervisor Cesarz - 2

SCHEDULED ITEMS:

1. 08-219 From the County Executive, appointing Mr. Ronald K. Malone to the position of Superintendent of the House of Correction.

APPEARANCE(S):

County Supervisor Mark A. Borkowski, 11th District
Tom Nardelli, County Executive's Office
Superintendent Ron Malone, House of Correction (HOC)
Penni Secore, AFSCME District Council 48

Mr. Nardelli provided comments in support of Superintendent Malone's reappointment to the HOC.

Superintendent Malone stated that he and his team have a very difficult job running the state's largest local retention facility; however, he has over 20 years of experience running correctional institutions at all levels and is looking forward to the challenges ahead.

MOTION BY: (RICE) Approve.

Committee members commended Superintendent Malone for his work at the House of Correction.

Supervisor Borkowski provided comments regarding the problems at the HOC not being addressed. He stated he does not support this appointment.

Ms. Secore spoke in opposition of Superintendent Malone's reappointment.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 5-0

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

2. 08-223 From the County Executive, appointing Ms. Lisa Jo Marks to the position of Director of Child Support Enforcement.

APPEARANCE(S):

Tom Nardelli, County Executive's Office

Lisa Jo Marks, Director, Child Support Enforcement

Mr. Nardelli provided comments relative to Ms. Marks reappointment.

Ms. Marks provided brief comments.

MOTION BY (BRODERICK) Approve. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

3. 08-234 From the Sheriff's Office, requesting authorization to apply for grants available under Homeland Security Grant Programs to assist with homeland security preparedness.

APPEARANCE(S):

Inspector Richard Schmidt, Sheriff's Office

Jon Priebe, Public Safety Fiscal Administrator

Inspector Schmidt provided a brief summary of the subject request.

MOTION BY: (RICE) Approve. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

SCHEDULED ITEMS (CONTINUED):

4. 07-379 Adopted 2008 Budget Amendment 1A067 directed that the County Executive and
(a) the Superintendent of the House of Correction shall provide written monthly briefings through October 2008 for the Committee on Judiciary, Safety and General Services on the ongoing development and implementation of the Global Positioning Surveillance (GPS) home detention program. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Superintendent Ron Malone, House of Correction
Jon Priebe, Public Safety Fiscal Administrator

Superintendent Malone reviewed the subject report.

Chairman Johnson advised that he is on the Executive Committee of the Milwaukee County Community Justice Council (CJC).

Supervisor Broderick commented that he believes the program was rushed, without adequate preparation or planning, in order to claim savings prematurely. It should have been implemented over a two or three year period to be effective.

The Committee took no action on this informational item.

5. 08-102 An adopted Resolution by Supervisor Borkowski, directing the Superintendent,
(a)(a) House of Correction to prepare a report detailing incidents, penalties, costs and corrective actions related to vandalism by inmates at the House of Correction. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

County Supervisor Mark A. Borkowski, 11th District
Superintendent Ron Malone, House of Correction
Jeff Mayer, House of Correction

Superintendent Malone provided comments.

Mr. Mayer reviewed the subject report.

Questions and comments ensued.

Chairman Johnson requested an updated report, including dollar amounts.

Supervisor Borkowski provided comments. He stated that he did not receive a copy of the report.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (JURSIK) Layover. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

The Committee took no action on this informational item.

6. 07-368 (a) An adopted Resolution by Supervisors Borkowski, De Bruin, Cesarz, Quindel, Schmitt, Johnson and Rice authorizing and directing the Director, Department of Administrative Services – Division of Human Resources, and the Superintendent, House of Correction, to prepare and submit a supplemental action plan for enhanced recruitment, retention, and respite efforts for public safety positions at the House of Correction. **(Also to the Committees on Finance and Audit and Personnel) (Monthly status reports due on the implementation of Audit recommendations.) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

County Supervisor Mark A. Borkowski, 11th District

Jerry Heer, Director of Audits

Superintendent Ron Malone, House of Correction

Mr. Heer reviewed the subject report submitted by Superintendent Malone. He stated that he is pleased with the progress thus far. The next big challenge is to deal with management issues and procedural cultural issues regarding sick leave, time off and Family medical leaves.

Supervisor Borkowski commented that “retention” was not addressed by Mr. Heer or Superintendent Malone.

Superintendent Malone advised that he and Dr. Jackson, Director of the Department of Human Resources, have been submitting monthly reports to the Personnel Committee. The monthly reports will take into consideration and focus on retention. However, the focus today is on the audit recommendations.

The Committee took no action on this informational item.

7. 08-85 (a)(a) From the Director of Audits, an Audit of the Office of the Sheriff Electronic Medical Records System, dated February, 2008. **(Also to the Committee on Finance and Audit) (Three-month status report due).**

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Jerry Heer, Director of Audits

Robert Andrews, Deputy Corporation Counsel

Rick Ceschin, County Board Research Analyst

Inspector Schmidt, Sheriff's Office

Barbara Kelsey, Chief Steward, Federation of Nurses and Health Professionals

Mr. Heer reviewed the two recommendations outlined in the status report.

Considerable discussion ensued, with questions and comments.

Ms. Kelsey provided comments regarding the audit. She stated that the Electronic Medical Records (EMR) system cannot accommodate some medication orders and it is a very flawed system. She believes that it needs to be scrapped.

Mr. Andrews stated that there are no claims to date arising out of the inadequacy of the EMR System.

Inspector Schmidt agreed that the system does have issues, however, he clarified that the medication administration records are not electronic. They are 100% paper and therefore, that system is not flawed.

MOTION BY: (BRODERICK) Receive and place on file the three-month status report from the Director of Audits. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

8. 06-283 From the Ethics Code Study Committee, submitting a report and ordinance revision
(a) with recommendations for existing and proposed provisions to the Milwaukee County Code of Ethics. **(4/8/08: Referred back from the Committee of the Whole) (Reports due from County Board staff, Corporation Counsel, DA's office and the Ethics Board)**

APPEARANCE(S):

Terry Cooley, County Board Chief of Staff

Glenn Bultman, County Board Research Analyst

Bill Domina, Corporation Counsel

Charles Mulcahy, Code of Ethics Study Committee

Hannah Dugan, Code of Ethics Study Committee

Chris Kliesmet, Citizens for Responsible Government

SCHEDULED ITEMS (CONTINUED):

Mr. Bultman proceeded to provide an overview of the documents he submitted relative to this item.

MOTION BY: (RICE) Approve the Code of Ethics Study Committee recommendations.

Supervisor Rice provided background information relative to this item. He advised that this has been the product of a great deal of work.

Mr. Cooley requested, on behalf of Chairman Holloway, that this item be laid over to a Special Judiciary Committee meeting on Tuesday, June 24, 2008 at 9:00 a.m. He advised that this would not delay the process if this meeting were to occur.

Committee members expressed confusion as to what the process is today pertaining to this item as well as the way in which Mr. Bultman presented his report.

Discussion ensued, with questions and comments relative to the need for a special Judiciary Committee meeting.

Supervisor Jursik requested that Mr. Bultman prepare suggested language for amendments.

MOTION BY: (JURSIK) Layover to a special Judiciary Committee meeting on June 24, 2008 at 9:00 a.m.

Ms. Dugan advised that she is in attendance at today's meeting to help clarify any policy issues that might have been raised. She is willing to attend the special meeting on June 24th.

Mr. Mulcahy provided comments. He expressed his support of the layover and also requested copies of the amendments.

Mr. Kliesmet expressed his discontentment with the further delay of action on this item.

Mr. Domina advised that his staff would work with County Board staff to provide a comparison grid that compares recommendations from the Ethics Code Study Committee and the County Board.

Supervisor Rice offered a friendly amendment to include recommended amendment language and resolutions relative to this item. Supervisor Jursik accepted the friendly amendment.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to layover: 4-1

AYES: Rice, Broderick, Jursik and Johnson (Chair) – 4

NOES: Sanfelippo – 1

EXCUSED: De Bruin and Cesarz – 2

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

9. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$1,756.05** to Jeff Cottrell for damages to his vehicle when the gate, without warning, came down striking his van as he entered the parking lot at the McKinley Marina.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (SANFELIPPO) Approve items 9-16 together. (Vote 5-0)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

10. 08-18 From Deputy Corporation Counsel, requesting approval for payment in an amount not to exceed **\$1,540.49** to settle in full the claim of David and Jamilla Polk for damages to their vehicle when struck by a Milwaukee County truck that was backing into the loading dock.

SEE ACTION UNDER ITEM 9.

11. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$1,288.32** to Willard Chatt to settle in full his claim for damages to his vehicle when a Milwaukee County snow plow backed into his vehicle.

SEE ACTION UNDER ITEM 9.

SCHEDULED ITEMS (CONTINUED):

12. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$889.29** to Dyan Ramos for damages to her vehicle when it was struck by a Milwaukee County snow plow.

SEE ACTION UNDER ITEM 9.

13. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$743.88** to Progressive Insurance re: Katherine Vandersanden to settle in full all claims for damages to her vehicle when struck in the rear by a Milwaukee County truck.

SEE ACTION UNDER ITEM 9.

14. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$679.06** to Daniel F. Sykora for damages to his vehicle when struck by a Milwaukee County plow.

SEE ACTION UNDER ITEM 9.

15. 08-18 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$660.60** to Jeffrey Russell in full settlement of his claim for damages to his vehicle when struck by a Milwaukee County snow plow.

SEE ACTION UNDER ITEM 9.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

16. 08-233 From Deputy Corporation Counsel, requesting approval for payment in the amount of **\$9,200.00** to Mohammad Abu Ain and to American Family Insurance in the amount of **\$13,451.94** to settle all claims arising out of a motor vehicle accident wherein a Milwaukee County truck slid through the stop sign and was struck by Mr. Abu Ain's vehicle.

SEE ACTION UNDER ITEM 9.

SCHEDULED ITEMS (CONTINUED):

17. 08-J-4 From Corporation Counsel, status report on the Mercer pension lawsuit.

MOTION BY: (RICE) Adourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 5-2)

AYES: Rice, Broderick, Jursik, Sanfelippo and Johnson (Chair) - 5

NOES: 0

EXCUSED: De Bruin and Cesarz - 2

The Committee adjourned into closed session at approximately 11:20 a.m. and did not reconvene back into open session.

18. 08-J-17 From Corporation Counsel, status report regarding Courthouse Annex arbitration litigation.

SEE ACTION UNDER ITEM 17.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Glenn Bultman, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Jerry Heer, Director of Audits
Inspector Richard Schmidt, Sheriff's Office
Ronald Malone, Superintendent, House of Correction
Jeff Mayer, House of Correction
Jon Priebe, Public Safety Fiscal Administrator

SCHEDULED ITEMS (CONTINUED):

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 12:00 noon

Linda K. Durham

Linda K. Durham, Committee Clerk

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| <p><i>ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.</i></p> |
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